

APR 29 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

MICHAEL ANTHONY SAMUELS,

Defendant - Appellant.

No. 07-30381

D.C. No. CR-96-00025-N-EJL

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Idaho
Edward J. Lodge, District Judge, Presiding

Submitted April 22, 2008^{**}

Before: GRABER, FISHER, and BERZON, Circuit Judges.

Michael Anthony Samuels appeals from his sentence of 9 months
imprisonment and 36 months of supervised release imposed upon revocation of

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

supervised release. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Samuels contends that the sentence is unreasonable because the district court judge failed to adequately consider his medical condition and because the sentence may represent half of his remaining life expectancy. We conclude that the district court did not commit any procedural error and that the sentence is reasonable.

See United States v. Carty, Nos. 05-10200, 05-30120, 2008 WL 763770, at *4-8 (9th Cir. Mar. 24, 2008) (en banc); *see also United States v. Miqbel*, 444 F.3d 1173, 1176 n.5 (9th Cir. 2006).

AFFIRMED.